

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: BORGESEN=4A

In re Application of:)	Confirmation No.: 5773
)	
Svend Erik BORGESEN)	Art Unit: 3761
)	
Appln. No.: 10/580,649)	Examiner: Leslie R. Deak
I.A. Appln. No.: PCT/DK04/000827)	
)	
§371 (c) Date: May 25, 2006)	January 15, 2010
I. A. Filed: November 26, 2004)	

For: METHOD FOR SHUNTING TOXIC SUBSTANCES FROM A BRAIN VENTRICLE
TO THE SINUS SYSTEM

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop AF
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Final Rejection (or the rejection of claims for at least the second time) dated October 19, 2009, of the Primary Examiner. The claims appealed are claims 1-10 and 34-47. The items checked below are appropriate:

☒ Small Entity Status: Applicant claims small entity status. See 37 CFR §1.27.

☒ The fee has been calculated as shown below:

☐ \$540.00

☒ **\$270.00 (small entity)**

☒ Conditional Petition for Extension of Time: If any extension of time for a response is required, Applicant requests that this be considered a petition therefor.

☐ Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a).
The appropriate fee required by 37 CFR §1.17 is calculated as shown below:

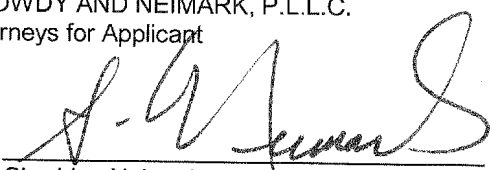
Small Entity Response Filed Within				Other Than Small Entity Response Filed Within			
[]	First	-	\$ 65.00	[]	First	-	\$ 130.00
[]	Second	-	\$245.00	[]	Second	-	\$ 490.00
[]	Third	-	\$555.00	[]	Third	-	\$1110.00
month after time period set				month after time period set			

☒ Credit Card Payment in the amount of \$270.00 will be made using the on-line filing system.

☒ Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

Respectfully submitted,

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